

REMARKS

Amendments

In response to an objection from the Examiner, the Applicant has amended the specification to include the information on the concurrent filing referenced in the paragraph at lines 25-30 on page 6 of the specification. Note should be made that the referenced PCT filing was filed at the USPTO as Receiving Office, designates the USA, was filed concurrently with the present application, and is entitled "Decorative Laminated Safety Glass".

This amendment to the specification thus adds no "new matter" to the present application, and the Applicants request that such specification amendment be entered into the present record for further examination.

In addition, the Applicants have added new claims 12-19, which directly correspond to original claims 2-9. No additional fee is required for these new claims. Further, in view of the correspondence to original claims 2-9, new claims 12-19 add no "new matter" to the present application, and the Applicants request that such new claims 12-19 be entered into the present record for further examination.

Objections

The Examiner has entered two objections to the disclosure.

The second objection relates to the above-referenced amendment, and the Applicants request withdrawal of that objection in view of this amendment.

The first objection relates to the first sentence of the paragraph found at lines 26-30 on page 4 of the specification. Specifically, the Examiner believes that the word "no" should be removed from that sentence.

The Applicants, however, submit that this sentence is correct as written. Specifically, while minor amounts of water may be included in the ink formulation, this sentence refers to the situation when it is intended to formulate the ink without water, so no water is intentionally added as a separate compo-

nent. Even when no separate water is added, however, there may be some amount of water in the various components as an "impurity", which may be adventitiously carried into the final formulation.

Based on this explanation and intention of the sentence, the Applicants request withdrawal of this objection.

Claim Rejections

The claims of this application have been variously rejected under 35 U.S.C. §103(a) as allegedly being obvious over the disclosure of one or a combination of references. The Applicants respectfully traverse these rejections and submit that the claimed invention is in fact patentable over the cited art.

(i) The Claimed Invention

Initially, the Applicants would clarify that the claimed invention is directed to an inkjet ink set (claims 1-9) and a method of printing utilizing this inkjet ink set (claims 10-11).

The claimed inkjet ink set comprises a plurality of non-aqueous, colored, pigmented liquid inks.

At least one of the non-aqueous, colored, pigmented liquid inks comprises Pigment Yellow 120 dispersed in a non-aqueous liquid vehicle.

Preferably (per claim 3), the ink set also comprises a non-aqueous, pigmented magenta ink, and a non-aqueous, pigmented cyan ink.

(ii) Rejection 1

The first rejection is of claims 1, 3, 5-7 and 9 as being obvious over the disclosure of Wuzik et al (US2004/0074018).

As correctly recognized by the Examiner, Wuzik et al teaches a magenta **dye-based** recording liquid (which can correspond to an inkjet ink) comprising 0.1-50% by weight of a mixture of dyes, 0-99% by weight water and 0.5-99.5% by weight of an organic solvent and/or humectant. In one stated preferred embodiment, this **dye-based** magenta recording liquid can con-

tain, as the vehicle, a predominant amount of organic solvent and/or humectant. In another stated preferred embodiment, this **dye-based** magenta recording liquid can contain, as the vehicle, a predominant amount of water. It should be noted that all of the Examples in Wuzik et al are directed solely to aqueous magenta dye-based recording liquids.

Wuzik et al goes on to say that this magenta dye-based recording liquid can be used in an ink set in combination with other inks containing black, yellow and/or cyan colorants. As examples of these other colorants are mentioned both dyes and pigments, including PY120. Wuzik et al, however, provides no other details about these other inks and, in particular, how they are formulated. Wuzik et al does not indicate whether these other inks should be aqueous or non-aqueous, and makes absolutely no specific disclosure of an ink set containing more than one non-aqueous ink, much less any non-aqueous pigmented inks. Wuzik et al does not exemplify any specific example of an ink set, much less an ink set containing a pigment-based ink.

Wuzik et al further provides no guidance on how to even formulate a non-aqueous pigmented ink, as pigments are not soluble in the liquid vehicles. The key with respect to dye-based inks is that the dyes be soluble in the liquid vehicle. Pigments, on the other hand, need to be dispersed in the vehicle because they are not soluble. The guidelines for formulating a dye-based ink provided in Wuzik et al, therefore, cannot *per se* be applied to formulating a pigment-based ink.

The Examiner makes the assumption that, if the magenta dye-based ink of Wuzik et al is non-aqueous, then all other inks of the ink set should also be non-aqueous for compatibility reasons. The assumption, however, is made entirely without any basis in fact. For example, it may be preferable in certain applications to use both aqueous and non-aqueous inks to reduce the water load on porous substrates such as paper. Excess water can, for example, result in paper curl and color bleed. The Examiner's generalization, therefore, is unsup-

ported and should not be taken into consideration in the present obviousness rejection.

In essence, what the Examiner has done with the Wuzik et al disclosure is to take unrelated bits and pieces of the disclosure, and combine them with unsupported assumptions and the aid of hindsight to arrive at the presently claimed invention. Hindsight, however, is an inappropriate perspective in which to judge patentability.

The question that should be asked in assessing patentability of the claimed invention over the disclosure of Wuzik et al is: does the reference fairly disclose all of the components required to achieve the presently claimed invention, and, if so, is there some reason, suggestion or motivation for the person of ordinary skill in the art to make the combination of those elements in the manner required to render the claimed invention obvious? As is evident from the above discussion, the answer to both prongs of this question is **no**.

In view of the differences enumerated above, the Applicants submit that a prima facie case for obviousness based on the disclosure of Wuzik et al cannot be legally or factually sustained, and respectfully request withdrawal of this rejection.

(iii) Rejection 2

The second rejection is of claims 1, 3, 5, 6 and 9 as being obvious over the disclosure of Kobayashi (US6166104) in view of Wuzik et al.

The Applicants would note that Kobayashi relates to ink sets based on hot-melt inks, and not non-aqueous liquid inks (non-aqueous vehicle) as set forth in the present claims. The distinction between liquid and hot-melt inks is made clear in Kobayashi in lines 12-55 of column 1 of the disclosure. In fact, this disclosure in Kobayashi in and of itself evidences that one of ordinary skill in the art would not consider the disclosure of Kobayashi relevant to the presently claimed invention.

Even if any combination of Kobayashi with Wuzik et al could be supported, that combination would not add up to the presently claimed invention in view of the deficiencies in both of the disclosures when compared to the claimed invention.

As such, the Applicants respectfully request withdrawal of any rejection of any of the claims based on this combination of references and, more broadly, based on any combination with Kobayashi.

(iv) Rejection 3

The third rejection is of claims 2 and 4 as being obvious over the disclosure of Kobayashi in view of Wuzik et al as applied in Rejection 2, and further in view of Takao et al (US2002/0077383).

In view of the fact that, as discussed above, claim 1 is patentable over the combination of Kobayashi in view of Wuzik et al, the Applicants submit that all claims 2 and 4 should be considered patentable as well over any combination of these references.

Briefly with respect to the substance of this rejection, Takao et al is merely cited for the disclosure of other pigments potentially used in inkjet inks, and does not fill in the gaps of the other references as detailed above.

The Applicants, therefore, further request withdrawal of this rejection.

(v) Rejection 4

The fourth rejection is of claim 8 over the disclosure of Wuzik et al (as applied to claims 1, 3, 5-7 and 9) in view of Lin (US6475271).

In view of the fact that, as discussed above, claim 1 is patentable over the disclosure of Wuzik et al, the Applicants submit that all claim 8 should be considered patentable as well in view of this reference.

Briefly with respect to the substance of this rejection, Lin is cited merely for a disclosure of surface tension and

viscosity properties of inkjet ink, and does not fill in the gaps of the Wuzik et al disclosure as detailed above.

The Applicants, therefore, still further request withdrawal of this rejection.

(vi) Rejection 5

The fifth (and last) rejection is of claims 11 and 12 as being obvious over the disclosure of Wuzik et al (as applied to claims 1, 3, 5-7 and 9) in view of Han-Adebekun et al (US6644799).

Han-Adebekun et al is cited merely for the teaching of a method of printing with inkjet ink sets, and does not fill in the gaps in the teaching of Wuzik et al as detailed in the discussion above of Rejection 1. Thus the combination of Wuzik et al with Han-Adebekun et al does not and cannot achieve the invention as set forth in the present claims, and withdrawal of this rejection is respectfully requested.

Conclusion

In view of the amendments and arguments presented above, the Applicants submit that claims 1-19 are patentable over the art of record, and that this case is otherwise in condition for allowance.

Should the Examiner wish to discuss any issues involved in this application, the Examiner is respectfully invited to contact the undersigned at the telephone exchange set forth below.

Respectfully submitted,



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